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FISCAL IMPACT REPORT

SPONSOR: Campos DATE TYPED: 02/23/03 HB _____

SHORT TITLE: Municipality Yard Waste Fees SB 601

ANALYST: Padilla

REVENUE

| Estimated Revenue | | Subsequent Years Impact | Recurring or Non-Rec | Fund Affected |
|-------------------|--|-------------------------|----------------------|------------------|
| FY03 | FY04 | | | |
| | Indeterminate but minimal- see narrative | | Recurring | City Governments |
| | | | | |

(Parenthesis () Indicate Revenue Decreases)

Duplicates HB 737

SOURCES OF INFORMATION

LFC Files

Responses Received From
Environment Department
Attorney General’s Office

SUMMARY

Synopsis of Bill

Senate Bill 601 amends the Municipal Code to allow municipalities that provide for the collection and disposal of yard waste to charge a fee. The fee would apply to persons owning or controlling real property.

Significant Issues

Existing statute allows municipalities to charge fees for “refuse” collection and disposal. It is unclear why “yard waste” cannot be considered “refuse” and treated as such with regard to

disposal fees. NMED notes that municipalities may currently elect to collect yard trimmings along with regular residential refuse, thereby not require special handling.

FISCAL IMPLICATIONS

If municipalities are currently incurring expenses for the collection and disposal of yard waste that are not covered by the refuse collection fee they are authorized to collect, this bill would help them cover those expenses.

OTHER SUBSTANTIVE ISSUES

NMED notes that the bill does not encourage municipalities to compost the yard waste that is collected. Many cities in the U.S. are taking such waste materials and treating it as a resource for their composting systems.

TECHNICAL ISSUES

The Attorney General's office recommends including a definition section to define and/or distinguish "yard waste" and "refuse."

LP/njw:yr